

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

In re Tyra Stokes,	)	
	)	Case No. 12-33058-MDM
	)	Chapter 13
Debtor.	)	
	)	
	)	

**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

Tyra Stokes (“Debtor”) through her counsel, Michael J. Maloney and the Watton Law Group, has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing, which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 East Wisconsin Avenue  
Room 126  
Milwaukee, WI 53202-4581

<b>Michael J. Maloney, Esq. Watton Law Group 700 North Water Street, Suite 500 Milwaukee, WI 53202 Telephone (414) 273-6858 Facsimile (414) 273-6894</b>
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If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Michael J. Maloney, Esq.  
Watton Law Group  
700 North Water Street, Suite 500  
Milwaukee, WI 53202

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

### **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponent of this modification is the Debtor;
2. This is a request to modify a Chapter 13 Plan (Select A. or B.)
  - A. ☒ post-confirmation;
  - B. ☐ pre-confirmation (Select i. or ii.);
    - i. ☐ Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
    - ii. ☐ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: to increase the plan payments, and to retain the 2014 state and federal tax refunds

4. The reason(s) for the modification is/are: to provide for a feasible plan, and Debtor needs to use her tax refunds to pay \$5,999.50 in repairs to her roof

5. Select A. or B.

A. ☒ The Chapter 13 Plan confirmed or last modified on March 19, 2014 is modified as follows:

Payments to the Trustee: The future earnings or other future income of the Debtor is submitted to the supervision and control of the trustee. The Debtor (or the Debtor's employer) shall pay to the trustee the sum of \$20,105.00 through February 4, 2015 and \$1,210.00 per month for the remaining 33 months, skipping July and August of each year.

Estimated Total of plan payments: \$52,775.00

Plan Length: This plan is estimated to be for 60 months.

Debtor shall retain her entire 2014 tax refund.

B. ☐ The unconfirmed Chapter 13 Plan dated \_\_\_\_\_ is modified as follows:

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION**

**CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER  
TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND  
PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED  
MODIFICATIONS.**

## **CERTIFICATION**

1. I, Tyra Stokes, the debtor in this case, certify that I have reviewed the modification to the Chapter 13 plan proposed in this motion, I authorize my attorney to file it with the court.

/s/ Tyra Stokes  
Debtor

February 4, 2015  
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Date: February 4, 2015

/s/ Michael Q. Tidey, for  
Michael J. Watton, Esq.  
Watton Law Group  
700 North Water Street, Suite 500  
Milwaukee, Wisconsin 53202

Attorney for Debtor